

Defendants, Pavel Aileni and A P Transportation, were served on February 9, 2017, and Defendant, Autobahn Freight Lines Ltd, received the Plaintiff's Original Petition and Citation on February 10, 2017. *See Exhibit A.* Defendant, A P Transport LLC, has not yet been served properly with process as of the date of this filing. Therefore, February 9, 2017, is the date from which the 30-day window for removal began to run. *See* 28 U.S.C. § 1446(b)(1) (notice must be "filed within 30 days after the receipt by the defendant"). Defendants have filed this Notice of Removal within the 30-day time period as required under 28 U.S.C. § 1446(b).

All of the Defendants, who have been served, are represented by the undersigned attorney and have joined in the removal of this case to federal court. Defendant, A P Transport LLC, has not yet been served; therefore, A P Transport LLC's consent to removal is not required. *See* 28 U.S.C. § 1446(b).

II.

BASIS FOR REMOVAL

Removal is proper based on diversity of citizenship. 28 U.S.C. § 1332(a). The matter in controversy in this case exceeds the sum or value of \$75,000, exclusive of interest and costs, and the Plaintiffs are citizens of Texas while Defendants are citizens of Michigan.

In their Original Petition, the Plaintiffs specify that they "seek monetary relief of over \$1,000,000.00." *See* Plaintiff's Original Petition, Section VI. Additionally, Plaintiffs identify themselves as residents of San Antonio, Texas. *See* Plaintiff's Original Petition, Section II. Plaintiffs further identify Defendant, Pavel Aileni, as a resident of Ypsilanti, Michigan and Defendant, A P Transportation, as a carrier in Ypsilanti, Michigan. *See* Plaintiff's Original Petition, Section II.

Additionally, Defendant, Autobahn Freight Lines, Ltd., was incorporated in Michigan, and its principle place of business is in Lincoln Park, Michigan. *See Exhibit B.* Defendant, A P Transport LLC also was incorporated in Michigan, and its principle place of business is in Eastpointe, Michigan. *See Exhibit C.* Defendant, A P Transportation was incorporated in Michigan, and its principle place of business was in Belleville, Michigan. *See Exhibit D.* A corporation is deemed to be a citizen of the state in which it is incorporated and in the state where it has its principal place of business. *See* 28 U.S.C. § 1332(c)(1). Therefore, the corporate Defendants in this matter are citizens of Michigan.

Because the Plaintiffs are citizens of Texas, each of the Defendants are citizens of Michigan, and the damages claimed exceed the \$75,000-threshold, removal based on diversity of citizenship is proper in this case.

Further, venue is proper in the U.S. District Court for the Southern District of Texas under 28 U.S.C. § 1441(a) because the state court where the suit has been pending is located in this district.

An index of the state court docket and copies of all pleadings, process, orders, and other filings in the state-court suit are attached to the Notice of Removal as required by 28 U.S.C § 1446(a) as **Exhibit A**.

Defendants have promptly filed a copy of this notice of removal with the clerk of the state court where the suit has been pending.

III. JURY DEMAND

A jury trial has been demanded in state court by Plaintiffs.

IV. COURT INFORMATION

The address and contract information for the 79th Judicial District Court of Jim Wells County, Texas is as follows:

79th Judicial District Court
Honorable R. David Guerrero
Mailing address: P.O. Drawer 2219
Alice, Texas 78333
Physical address: 200 N. Almond Street, Suite 207
Alice, Texas 78332
Phone Number: 361-668-5717

V PRAYER

For these reasons, diversity jurisdiction under 28 U.S.C. § 1332(a) exists, removal is proper under 28 U.S.C. § 1441(a), and Defendants ask the Court to remove this suit to the U.S. District Court for the Southern District of Texas, Corpus Christi Division.

Respectfully Submitted,

THE BASSETT FIRM

/s/ Mike H. Bassett

MIKE H. BASSETT

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**ATTORNEY FOR DEFENDANTS,
PAVEL AILENI, A P
TRANSPORTATION, AND
AUTOBAHN FREIGHT LINES LTD**

<h2>CERTIFICATE OF SERVICE</h2>

I certify that a true copy of this document was forwarded to the following counsel of record on this 8th day of March, 2017, pursuant to the Texas Rules of Civil Procedure and the Federal Rules of Civil Procedure:

Via ECF-PACER

Mr. Roger A. Perez
The Law Offices of Roger A. Perez
427 S. Saint Mary's Street
San Antonio, Texas 78205

/s/ Mike H. Bassett

MIKE H. BASSETT

EXHIBIT A

Cause Number:
17-01-56848-CV

File
Location:

Court:
79th District Court

Case Id Filing Date:
46831 01/31/2017

Case Action Date
Type(s) /
Re-Opens

Disposition Disposition
Date Type

1. 01/31/2017
Injury or
Damage:
Involving
Motor
Vehicle

Style:
DAVID MARQUEZ AND KIMBERLY KEENER VS PAVEL
AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND
AUTOBAHN FREIGHT LINES LTD.

Enter another [Event](#)

View all

[select all](#)

[Select](#)

[Publish PDF](#) document from multiple images.

All Events

#	Type	Date	Description	Image	Page s	Vol/Pag e	Sealed
<u>1.</u>	Original Petition	01/31/2017	POP David Marquez and Kimberly Keener - EFiled on 01/31/2017 12:23 PM. Submitted by: Roger Perez (roger@rogerperez.com); Comments: Please mail the 4 citations being requested. They will be served by private process. Thank you! JURY DEMAND FOUND IN THIS ORIGINAL PETITION	1058468.pdf	17		No
<u>2.</u>	Citation	01/31/2017	CITATION ISSUED TO PAVEL AILENI BY SERVING TRYON D. LEWIS, CHAIRPERSON OF THE TEXAS TRANSPORTATION COMMISSION/DELIVER ATTORNEY	1058481.tif	1		No

			(MAILED)				
<u>3.</u>	Citation	01/31/2017	CITATION ISSUED TO A P TRANSPORTATION BY SERVING TRYON D.LEWIS,CHAIRPERSON OF THE TEXAS TRANSPORTATION COMMISSION/DELIVER TO ATTORNEY (MAILED)	1058482.tif	1		No
<u>4.</u>	Citation	01/31/2017	CITATION ISSUED TO A P TRANSPORT LLC BY SERVING PROCESS AGNET UNDER MOTOR CARRIER ACT, MARIA GARCIA/DELIVER TO ATTORNEY (MAILED)	1058483.tif	1		No
<u>5.</u>	Citation	01/31/2017	CITATION ISSUED TO AUTOBAHN FREIGHT LINES, LTD. BY SERVING PROCESS AGENT JEFFREY FULTZ/DELIVER TO ATTORNEY (MAILED)	1058486.tif	1		No
<u>6.</u>	Return	02/09/2017	AX02A17201614.PDF - EFiled on 02/10/2017 3:33 PM. Submitted by: Professional Civil Process (tobinm@pcpusa.net); Comments: none//AFFIDAVIT OF SERVICE AND CIT RETURN-A P TRANSPORTATION SRVD 2-9-2017	1060126.pdf	2		No
<u>7.</u>	Return	02/09/2017	AX02A17201615.PDF - EFiled on 02/10/2017 3:33 PM. Submitted by: Professional Civil Process (tobinm@pcpusa.net); Comments: none//AFFIDAVIT OF SERVICE & CIT RETURN-PAVEL AILENI SRVD 2-9-2017	1060127.pdf	2		No
<u>8.</u>	Return	02/10/2017	AX02A17201612.PDF - EFiled on 02/13/2017 10:34 AM. Submitted by: Professional Civil Process (tobinm@pcpusa.net); Comments: none//AFFIDVIT OF SERVICE & CIT RETURN-AUTOBAHN FREIGHT LINES LTD SRVD 2-10-2017	1060148.pdf	2		No
<u>9.</u>	Return	02/13/2017	AX02A17201611.PDF - EFiled on 02/14/2017 5:32 PM. Submitted by: Professional Civil Process (tobinm@pcpusa.net); Comments: none//AFFIDAVIT OF SERVICE AND CIT RETURN-AP TRANSPORT LLC SRVD 2-13-2017	1060460.pdf	2		No
<u>10.</u>	Return	02/13/2017	AX02A17201611.PDF - EFiled on 02/20/2017 1:59 PM. Submitted by: Corp Billing (eaffidavits@pcpusa.net); Comments: //AFFIDAVIT OF SERVICE AND CIT RETURN-A P TRANSPORT LLC SRVD 2-13-2017	1061268.pdf	2		No
<u>11.</u>	Return	02/22/2017	AX02A17201611.PDF - EFiled on 02/22/2017 1:59 PM. Submitted by: Corp Billing (eaffidavits@pcpusa.net); Comments: //AFFIDAVIT OF SERVICE AND CIT RETURN-A P TRANSPORT LLC SRVD 2-13-2017	1061270.pdf	2		No

		7	02/22/2017 1:02 PM. Submitted by: Roger Perez (roger@rogerperez.com); Comments: Please mail the citation for A P Transport to our office, it is being served by private process. Thank you!	f			
<u>12.</u>	Request	02/24/2017	Clerk 02.24.17 - EFiled on 02/24/2017 3:55 PM. Submitted by: Carmen Hernandez (chernandez@thebassettfirm.com) ; Comments: Thank you.//REQUEST FOR COPIES	<u>1062111.pdf</u>	2		No
<u>13.</u>	Citation	02/27/2017	CITATION ISSUED TO A P TRANSPORT LLC BY SERVING PROCESS AGENT, WILLIAM E. KNOX/DELIVER TO ATTORNEY (MAILED)	<u>1061930.tif</u>	1		No

User: ROSIE - Rosie GARCIA (admin)

Filed 1/31/2017 12:23:42 PM
 R. David Guerrero
 District Clerk
 Jim Wells County, Texas
 Juana Ramirez, Deputy

CAUSE NO. 17-01-56848-CV

DAVID MARQUEZ AND	§	IN THE DISTRICT COURT
KIMBERLY KEENER	§	
VS.	§	____ JUDICIAL DISTRICT
PAVEL AILENI, A P	§	
TRANSPORTATION, A P	§	
TRANSPORT LLC AND	§	
AUTOBAHN FREIGHT LINES LTD	§	JIM WELLS COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiffs, David Marquez and Kimberly Keener, file this Plaintiffs' Original Petition complaining of Defendants Pavel Aileni, A P Transportation, A P Transport LLC and Autobahn Freight Lines LTD and for cause of action show the Court the following:

I. DISCOVERY CONTROL PLAN LEVEL

Plaintiffs intend that discovery be conducted under Discovery Level Three.

II. PARTIES AND SERVICE

Plaintiff, David Marquez, is an individual who resides in San Antonio, Texas.

Plaintiff, Kimberly Keener, is an individual who resides in San Antonio, Texas.

Defendant, Pavel Aileni, resides in Ypsilanti, Michigan and pursuant to Tex. Civ. Prac. & Rem. Code Section 17.062(a), may be served by serving Tryon D. Lewis, the Chairperson of the Texas Transportation Commission at 125 E.

11th Street, Austin, Texas 78701-2483, who can forward process to Defendant at 7420 Dover Dr, Ypsilanti, MI 48197-2930.

Defendant, A P Transportation, is a carrier in Ypsilanti, Michigan and pursuant to Tex. Civ. Prac. & Rem. Code Section 17.062(a), may be served by serving Tryon D. Lewis, the Chairperson of the Texas Transportation Commission at 125 E. 11th Street, Austin, Texas 78701-2483, who can forward process to Defendant at 7420 Dover Dr., Ypsilanti, MI 48197-2930.

Defendant, A P Transport LLC, may be served through its process agent designated under the Motor Carrier Act, Maria Garcia, 1519 Wyoming, El Paso, TX 79902.

Defendant, Autobahn Freight Lines LTD, may be served through its process agent designated under the Motor Carrier Act, Jeffrey Fultz, 5625 Cypress Creek Pkwy, Houston, TX 77068.

III. JURISDICTION AND VENUE

The subject matter in controversy is within the jurisdictional limits of this court.

Venue is proper in Jim Wells County under the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

IV. FACTS

Defendants A P Transport LLC, A P Transportation and Autobahn Freight Lines LTD are motor carriers licensed by and registered with the Federal Motor Carrier Safety Administration. Defendants were either owned by Defendant

Aileni or hired, qualified, and retained Defendant Aileni as a truck driver. At all times relevant to this lawsuit, Defendant Aileni was acting either as an owner or in the course and scope of his actual and/or statutory employment with Defendants A P Transport LLC and/or A P Transportation and/or Autobahn Freight Lines LTD. On or about February 4, 2015, Plaintiffs were involved in a collision with Defendants' vehicle in Jim Well County, Texas. Plaintiffs and Defendant Aileni were traveling northbound on U S Highway 281 when Defendant Aileni changed lanes, merging into Plaintiffs' vehicle. Defendant Aileni collided with Plaintiffs' vehicle causing substantial personal injuries to Plaintiffs.

V. CAUSE OF ACTION

Defendant Aileni was negligent in the operation of the tractor-trailer. Specifically, Defendant Aileni changed lanes when it was unsafe to do so and failed to keep a proper lookout. As a direct and proximate result of this negligence, Plaintiffs sustained serious personal injuries. Defendants A P Transportation and/or A P Transport LLC and/or Autobahn Freight Lines LTD are vicariously liable for the negligence of Defendant Aileni under the statutory employment doctrine as well as the doctrine of respondeat superior, as applicable. It further appears that Defendants A P Transportation and/or A P Transport LLC and/or Autobahn Freight Lines LTD may have negligently entrusted the tractor-trailer to Defendant Aileni, and may have been negligent in the qualification, hiring, training, supervision, and retention of Defendant Aileni.

Defendant Aileni's negligence consisted of, but is not limited to, the following acts and/or omissions:

- A. failed to keep a proper lookout for Plaintiffs' safety that would have been maintained by a person of ordinary prudence under the same or similar circumstances;
- B. operated his vehicle in Plaintiffs' lane of traffic and failed to give Plaintiffs at least one-half of the roadway;
- C. failed to maintain a clear and reasonable distance between Plaintiffs' motor vehicle and Defendant Aileni's motor vehicle which would permit Defendant Aileni to bring his motor vehicle to a safe stop without colliding into Plaintiffs' motor vehicle;
- D. failed to keep such distance away from Plaintiffs' motor vehicle as a person using ordinary prudent care would have done;
- E. operating his motor vehicle at a rate of speed which was greater than that would have been operated by a person of ordinary prudence under the same or similar circumstances; and
- F. failed to apply his brakes to his motor vehicle in a timely and prudent manner and/or wholly failed to apply his brakes in order to avoid the collision in question.

VI. DAMAGES

Plaintiffs seek to recover the following elements of damages, which were proximately caused by Defendants' negligence:

- 1. Medical care, past and future;
- 2. Lost wages and earning capacity, past and future;
- 3. Physical impairment, past and future;

4. Physical pain, emotional distress, and mental anguish, past and future; and
5. Disfigurement, past and future.

Plaintiffs also seek to recover prejudgment interest, post-judgment interest, and court costs. Plaintiffs' damages exceed the Court's jurisdictional minimum. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiffs seek monetary relief of over \$1,000,000.00.

VII. REQUEST FOR DISCLOSURE

Defendants are requested to disclose, within 50 days of service of this request, the information or material described in Rule 194.2(a)-(l) of the Texas Rules of Civil Procedure.

VIII. INTERROGATORIES TO DEFENDANT PAVEL AILENI

Plaintiffs, pursuant to Tex. R. Civ. Procedure 196 and 197 propound the following Interrogatories to Defendant Pavel Aileni. Defendant's response is due within fifty (50) days from the date of service thereof. Plaintiffs also request that Defendant continue to supplement Defendant's responses to these Interrogatories as provided for by the Rules.

Definition: "Defendant Carriers" means A P Transportation, A P Transport LLC and Autobahn Freight Lines LTD.

Interrogatory 1. Please state how you contend the collision in question occurred.

RESPONSE:

Interrogatory 2. Please state the positions held, general job descriptions, and lengths of employment of Pavel Aileni at the time of the collision in question.

RESPONSE:

Interrogatory 3. Please state the full extent of any training, education, or experience concerning driving techniques or principles Pavel Aileni has received.

RESPONSE:

Interrogatory 4. Was Pavel Aileni acting in the course and scope of his employment with any of the Defendant Carriers at the time of the collision made the basis of this lawsuit? If you are contending that Pavel Aileni was not acting in the course and scope of employment for any of the Defendant Carriers at the time of the collision, please state exactly why you are making such contention.

RESPONSE:

Interrogatory 5. If the vehicle driven by Pavel Aileni that was involved in the collision in question was not owned by you, please state the vehicle owner's name, address and telephone number.

RESPONSE:

Interrogatory 6. Please list all traffic accidents in which Pavel Aileni has been involved, including the location, city, county, state and any violations for which he was cited in connection with any traffic accidents.

RESPONSE:

Interrogatory 7. Please give a description of all traffic violations for which Pavel Aileni has been cited, including the date, city, county, state, offense alleged and ultimate disposition of such citation.

RESPONSE:

Interrogatory 8. With respect to collisions or accidents involving one of Defendant Carriers' vehicles and/or a driver employed by you or under contract with any of the Defendant Carriers, please state:

- a. When the driver is required to make a report and to whom;
- b. A description of any written report required to be made by any person with Defendant Carriers and/or the driver;
- c. Where and in whose custody such reports are kept;

- d. When a driver must submit for a drug test by giving a urine sample; and
- e. When such report must be reported to the federal government.

RESPONSE:

Interrogatory 9. Did Pavel Aileni receive any citations or tickets as a result of the collision in question? If so, what was the outcome? If Pavel Aileni paid the ticket, did Pavel Aileni plead guilty? What court did Pavel Aileni have to appear in or call to resolve the citation or ticket?

RESPONSE:

Interrogatory 10. Do you contend that someone other than Pavel Aileni (including but not limited to Plaintiff Marquez) did or failed to do something that contributed to the wreck made the basis of this lawsuit? If so, please state what you claim that person did or failed to do, or how the action or inaction caused or contributed to the wreck.

RESPONSE:

Interrogatory 11. Please state the date on which you first subjectively believed that there was a substantial chance that litigation would arise from the wreck made the basis of this lawsuit? What facts gave rise to your subjective belief?

RESPONSE:

Interrogatory 12: What do Defendant Carriers do to review drivers' logs to determine whether they are accurate and whether they comply with the hours-of-service regulations? If Defendant Carriers use any type of computer program or third-party service to audit logs, please identify the program or service.

RESPONSE:

Interrogatory 13: Do Defendant Carriers use any type of GPS system or other computerized device (such as OmniTRACS, Qualcomm or XATA) to monitor the movements and/or speed of its tractors and/or trailers? If so, please describe the system or device, including its name, what data is generated, where the data is stored, and how long the data is retained.

RESPONSE:

Interrogatory 14: For any cell phone used by or issued to Pavel Aileni during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, please identify the cell phone carrier and the cell phone number.

RESPONSE:**IX. INTERROGATORIES TO DEFENDANTS A P TRANSPORTATION,
A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD**

Plaintiffs, pursuant to Tex. R. Civ. Procedure 196 and 197 propound the following Interrogatories to Defendants A P Transportation, A P Transport LLC and Autobahn Freight Lines LTD, referred to as "Defendant Carriers." Defendants' responses are due within fifty (50) days from the date of service thereof. Plaintiffs also request that Defendants continue to supplement their responses to these Interrogatories as provided for by the Rules.

Interrogatory 1. Please state how you contend the collision in question occurred.

RESPONSE:

Interrogatory 2. Please state the positions held, general job descriptions, and lengths of employment of Pavel Aileni at the time of the collision in question.

RESPONSE:

Interrogatory 3. Please state the full extent of any training, education, or experience concerning driving techniques or principles Pavel Aileni has received.

RESPONSE:

Interrogatory 4. Was Pavel Aileni acting in the course and scope of his employment with any of the Defendant Carriers at the time of the collision made the basis of this lawsuit? If you are contending that Pavel Aileni was not acting in the course and scope of employment for any of the Defendant Carriers at the time of the collision, please state exactly why you are making such contention.

RESPONSE:

Interrogatory 5. If the vehicle driven by Pavel Aileni that was involved in the collision in question was not owned by you, please state the vehicle owner's name, address and telephone number.

RESPONSE:

Interrogatory 6. Please list all traffic accidents in which Pavel Aileni has been involved, including the location, city, county, state and any violations for which he was cited in connection with any traffic accidents.

RESPONSE:

Interrogatory 7. Please give a description of all traffic violations for which Pavel Aileni has been cited, including the date, city, county, state, offense alleged and ultimate disposition of such citation.

RESPONSE:

Interrogatory 8. With respect to collisions or accidents involving one of Defendant Carriers' vehicles and/or a driver employed by you or under contract with Defendant Carriers, please state:

- a. When the driver is required to make a report and to whom;
- b. A description of any written report required to be made by any person with Defendant Carriers and/or the driver;
- c. Where and in whose custody such reports are kept;
- d. When a driver must submit for a drug test by giving a urine sample; and
- e. When such report must be reported to the federal government.

RESPONSE:

Interrogatory 9. Did Pavel Aileni receive any citations or tickets as a result of the collision in question? If so, what was the outcome? If Pavel Aileni paid the ticket, did Pavel Aileni plead guilty? What court did Pavel Aileni have to appear in or call to resolve the citation or ticket?

RESPONSE:

Interrogatory 10. Do you contend that someone other than Pavel Aileni (including but not limited to Plaintiff) did or failed to do something that contributed to the wreck made the basis of this lawsuit? If so, please state what you claim that person did or failed to do, or how the action or inaction caused or contributed to the wreck.

RESPONSE:

Interrogatory 11. Please state the date on which you first subjectively believed that there was a substantial chance that litigation would arise from the wreck made the basis of this lawsuit? What facts gave rise to your subjective belief?

RESPONSE:

Interrogatory 12: What does each Defendant Carrier do to review drivers' logs to determine whether they are accurate and whether they comply with the hours-of-service regulations? If Defendant Carriers use any type of computer program or third-party service to audit logs, please identify the program or service.

RESPONSE:

Interrogatory 13: Do Defendant Carriers use any type of GPS system or other computerized device (such as OmniTRACS, Qualcomm or XATA) to monitor the movements and/or speed of its tractors and/or trailers? If so, please describe the system or device, including its name, what data is generated, where the data is stored, and how long the data is retained.

RESPONSE:

Interrogatory 14: For any cell phone used by or issued to Pavel Aileni during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, please identify the cell phone carrier and the cell phone number.

RESPONSE:**X. REQUESTS FOR PRODUCTION TO ALL DEFENDANTS**

Pursuant to Rule 196, Texas Rules of Civil Procedure, Plaintiffs request that, within the time prescribed by law, Defendants Pavel Aileni and Defendant Carriers produce and permit Plaintiffs to inspect and copy the documents and things described in the requests below, and as instructed below. Plaintiffs request that Defendants produce the documents at the law offices of Roger A. Perez, 427 S. Saint Mary's Street, San Antonio, Texas 78205.

DEFENDANTS ARE HEREBY PLACED ON NOTICE THAT THE REQUESTED DOCUMENTS AND TANGIBLE THINGS CONSTITUTE CRITICAL EVIDENCE AND SHOULD NOT BE ALTERED, DESTROYED, CHANGED OR

**TAMPERED WITH IN ANY WAY. ANY SUCH ALTERATION OR DESTRUCTION
IS SPOILIATION OF CRITICAL EVIDENCE.**

1. Any and all documents, including but not limited to invoices, repair bills or estimates, reflecting the damage to any vehicle involved in the collision in question.
2. Any and all photographs, videotapes, or other depictions of any vehicle involved in the collision in question.
3. Any and all photographs of the scene of the collision in question.
4. Any and all photographs that you intend to use at trial.
5. Any and all photographs, videotapes or other depictions of Plaintiffs.
6. Any and all photographs, videotapes or other depictions of Pavel Aileni.
7. Any and all witness statements.
8. Any and all statements from Plaintiffs.
9. Any and all statements from any Defendants, Defendants' agents or employees relating to the incident in question.
10. Any and all documents related to Pavel Aileni's employment with any of the Defendant Carriers.
11. Any and all documents related to the maintenance, repair, acquisition, loads, operation or travel of the vehicle involved in the collision in question. These documents should include, but are not limited to, trip sheets, fuel receipts, work orders, bills of lading, maintenance records, operations manuals, vehicle condition reports and other documents obtained regarding the vehicle.
12. Produce any and all documents regarding any unemployment claim, worker's compensation claim or any other type of claim filed by Pavel Aileni relating to his employment with any of the Defendant Carriers.
13. Any and all pictures, drawings, photographs or videotapes in your possession or subject to your control that are relevant and material to this cause of action, including but not limited to those showing the Plaintiffs, those showing any of the vehicles, or any part of the vehicles, involved in the collision in question, or those showing the location of such collision.
14. Any information relating to any conviction to be used for impeachment purposes against any party, witness, and/or person with knowledge of

facts named in discovery information provided to you before trial. Please include the name of the person convicted, the offense for which he or she was convicted, the year of such conviction, the court of such conviction and the sentence involved.

15. Any written, taped or mechanically reproduced statement heretofore made of Plaintiffs, Defendants, and/or Defendants' agents or employees.
16. Any records or documentation (medical or non-medical) concerning Pavel Aileni that would indicate whether Pavel Aileni was using alcohol and/or drugs (including prescription or nonprescription, legal or illegal drugs) within forty-eight (48) hours prior to the collision in question.
17. Any records or documentation (medical or non-medical) concerning Pavel Aileni that would indicate that he had alcohol and/or drugs (including prescription or nonprescription, legal or illegal), or metabolites of alcohol and/or drugs (including prescription or nonprescription, legal or illegal) in the bloodstream or urine at the time of or the time following the collision in question.
18. Any records or documentation (medical or non-medical) that would indicate that Pavel Aileni was a regular user of any illegal substance(s) within one (1) year preceding the collision in question.
19. A photostatic copy of the front and back of Pavel Aileni's current driver's license and any commercial license.
20. A copy of any company vehicle use records for the one hundred eighty (180) days preceding and including the date of the collision in question.
21. Any documentation concerning Pavel Aileni involving disciplinary actions, demerits, reprimands or incidents indicating less than satisfactory job performance.
22. All manuals, instructions, guidelines, directives, or memoranda concerning the performance or execution of the position held by Pavel Aileni at the time of the collision in question.
23. All records, notes, files, memoranda, or other similar documentation indicating an awareness on your part that Pavel Aileni was an unsafe driver.
24. All documents relating to reservation of rights or denial of coverage on the part of any insurance carrier for any of the named defendants with respect to this claim.

25. If you contend that you had a good faith belief to reasonably anticipate that there was a substantial chance that litigation would ensue on behalf of Plaintiffs prior to the date you received notice of this lawsuit, please produce all correspondence, memoranda, statements, tape recordings, transcripts of tape recordings, wire reports, investigation reports, close-out reports, summaries or any other documents, as well as any other tangible things that you contend showed an outward manifestation that would indicate that there was a substantial chance that litigation would ensue.
26. Any reports, memoranda, documents or materials of any type which specifically indicate a date or occurrence on which you rely for any contention that you had a good faith belief to reasonably anticipate that there was a substantial chance that litigation would ensue concerning any injury or damages claimed on behalf of Plaintiffs.
27. Any insurance policies that provide, or may provide, coverage for the collision in question.
28. Any reservation of rights letters or non-waiver agreements.
29. Any cell phone bills that would show whether or not Pavel Aileni was using a cell phone on the date of the wreck. This request includes, but is not limited to, cell phone bills for the day of the wreck.
30. All cell phone bills and records for any cell phone used by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
31. Provide all GPS and other electronic data and records, including but not limited to all Qualcomm Satellite Communication tracking information showing the location of the truck in the incident at issue in this lawsuit for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
32. All expense receipts and reports submitted by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
33. All incident reports generated by Pavel Aileni or any of the Defendant Carriers regarding the collision at issue in this lawsuit.
34. If, during the time period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck, Pavel Aileni drove a truck and/or trailer different than the ones at issue in this lawsuit, provide all GPS and other electronic data and records, including but not limited to all Qualcomm Satellite Communication and OmniTRACS

tracking information showing the location of the truck and trailer driven by Pavel Aileni for that time period.

35. Pavel Aileni's log books for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
36. The complete driver qualification file on Pavel Aileni.
37. All personnel files, accident files, and other files and documents that any Defendant Carrier maintains or possesses regarding Pavel Aileni.
38. All fuel receipts, bills of lading, weigh tickets, and toll receipts for any vehicle operated by Pavel Aileni during the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
39. All Qualcomm records and data regarding any vehicle operated by Pavel Aileni, and any communications to and from Pavel Aileni, for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
40. All documents and data that shows the speed, location, ignition status, brake status, acceleration, deceleration, sudden stops, and other information regarding any vehicle operated by Pavel Aileni during the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck. The scope of this request includes, but is not limited to, "black box" data, crash data recorders, OmniTRACS data, Qualcomm data, GPS data, XATA data, JETT-Track, DriveOk, FleetMatics, Fleet Management Solutions, Fleetilla, Shadow Tracker, Trimble, and any other data source.
41. All monthly log summary sheets for Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
42. All notice of logging violations for Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
43. The accident register for Defendant Carriers.
44. All safety performance history records regarding Pavel Aileni.
45. All driver's vehicle inspection reports completed by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.

46. All pretrip check lists completed by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
47. The vehicle accident kit issued to Pavel Aileni.
48. An exemplar blank vehicle accident kit used by Defendant Carriers.
49. All dispatch and trip reports regarding any vehicle operated by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
50. All trip cost report envelopes for any vehicle operated by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
51. All OmniTRACS data regarding any vehicle operated by Pavel Aileni for the period starting one hundred eighty (180) days before the wreck and ending fourteen (14) days after the wreck.
52. Copies of all documents obtained by deposition on written question or subpoena.
53. All documents regarding any audits or examinations performed of Defendant Carriers by any state or federal agency, including but not limited to any state department of transportation, any state department of motor vehicle, the U.S. Department of Transportation, and the Federal Motor Carrier Safety Administration.

XI. PRAYER

PREMISES CONSIDERED, Plaintiffs pray that citation be issued and Defendants be served, and upon trial on the merits the Court enter judgment for Plaintiffs and against Defendants, jointly and severally, for actual damages, together with prejudgment interest, postjudgment interest, and court costs.

02/01/2017 12:50PM 2103540510

ATTORNEY ROGER PEREZ

PAGE 18

Respectfully submitted,

The Law Offices of Roger A. Perez
427 S. Saint Mary's Street
San Antonio, Texas 78205
(210) 224-2240
(210) 354-0510 Facsimile
E-mail: Roger@RogerPerez.com

/S/ Roger A. Perez

Roger A. Perez
SBN: 15779080
Attorney for Plaintiffs

PLAINTIFFS HEREBY DEMAND TRIAL BY JURY

Filed 2/10/2017 3:33:04 PM

R. David Guerrero

District Clerk

Jim Wells County, Texas

Sandra Garcia, Deputy

79th District Court of JIM WELLS County, Texas

PO BOX 1375 ALICE TX 78333

CASE #: 17-01-56848-CV

DAVID MARQUEZ AND KIMBERLY KEENER

Plaintiff

vs

PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD

Defendant

AFFIDAVIT OF SERVICE

I, STEVEN CRAIG HARRIS, make statement to the fact;
That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 02/09/17 10:37 am, instructing for same to be delivered upon A P Transportation By Delivering To Tryon D. Lewis.

That I delivered to : A P Transportation By Delivering To Tryon D. Lewis. By Delivering to Alicia, authorized to accept

the following : CITATION; PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)

at this address : 125 E. 11th St.
AUSTIN, Travis County, TX 78701

Manner of Delivery : By PERSONALLY delivering the document(s) to the person above.

Delivered on : Thursday FEB 9, 2017 4:44 pm

My name is STEVEN CRAIG HARRIS, my date of birth is APR 8th, 1968, and my address is Professional Civil Process Downtown, 2211 S. IH 35, Suite 105, Austin TX 78741, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct. Executed in Travis County, State of Texas, on the 10th day of

February, 2017.

Steven C. Harris
STEVEN CRAIG HARRIS Declarant
2021

Texas Certification#: SCH-10808 Exp. 03/31/17

PCP Inv#: Z17200069

SO Inv#: A17201614



AX02A17201614

tomcat

+ Service Fee: 70.00
Witness Fee: .00
Mileage Fee: .00

Perez, Roger

E-FILE RETURN

ORIGINAL**CITATION – Personal Service**

THE STATE OF TEXAS

COUNTY OF JIM WELLS

CAUSE NO. 17-01-56848-CV

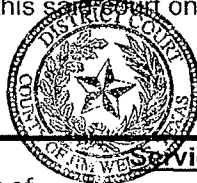
TO: A P TRANSPORTATION BY SERVING TRYON D. LEWIS, CHAIRPERSON OF THE TEXAS TRANSPORTATION COMMISSION, 125 E. 11TH ST., AUSTIN, TEXAS 78701-2483, WHO CAN FORWARD PROCESS TO DEFENDANT AT 7420 DOVER DR., YPSILANTI, MI 48197-2930

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-01-56848-CV
Date of Filing:	JANUARY 31, 2017
Document:	PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)
Parties in Suit:	DAVID MARQUEZ AND KIMBERLY KEENER VS PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD.
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	ROGER A. PEREZ, ATTORNEY, 427 S. SAINT MARY'S ST., SAN ANTONIO, TEXAS 78205

Issued under my hand and seal of this said court on this the 31 day of JANUARY, 2017.

R. David Guerrero, District Clerk
Jim Wells County, Texas



BY: Juana P. Ramirez Deputy
Service Return JUANA P. RAMIREZ

Came to hand on the _____ day of _____, 20____, at _____ m., and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named

_____ in person a true copy of this citation, with attached copy(ies) of the _____ at _____

[] Not executed. The diligence use in finding DEFENDANT being _____

[] Information received as to the whereabouts of DEFENDANT being _____

Service Fee: \$	Sheriff/Constable
	County, Texas
Service ID No.	Deputy/Authorized Person

VERIFICATION

On this day personally appeared _____ known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the _____ day of _____, 20____.

Notary Public

** Service by Rule 106 TRC if directed by attached Court Order

POSTED

Filed 2/10/2017 3:33:22 PM
 R. David Guerrero
 District Clerk
 Jim Wells County, Texas
 Sandra Garcia, Deputy

79th District Court of JIM WELLS County, Texas
 PO BOX 1375 ALICE TX 78333

CASE #: 17-01-56848-CV

DAVID MARQUEZ AND KIMBERLY KEENER

Plaintiff

vs

PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD

Defendant

AFFIDAVIT OF SERVICE

I, STEVEN CRAIG HARRIS, make statement to the fact;
 That I am a competent person more than 18 years of age or older and not a party to
 this action, nor interested in outcome of the suit. That I received the documents stated
 below on 02/09/17 10:38 am, instructing for same to be delivered upon Aileni, Pavel By
 Delivering To Tryon D. Lewis.

That I delivered to : Aileni, Pavel By Delivering To Tryon D. Lewis. By Delivering
 to Alicia, authorized to accept

the following : CITATION; PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)

at this address : 125 E. 11th St.
 AUSTIN, Travis County, TX 78701

Manner of Delivery : By PERSONALLY delivering the document(s) to the person
 above.

Delivered on : Thursday FEB 9, 2017 4:44 pm

My name is STEVEN CRAIG HARRIS, my date of birth is APR 8th, 1968, and my address is
 Professional Civil Process Downtown, 2211 S. IH 35, Suite 105, Austin TX 78741, and
 U.S.A. I declare under penalty of perjury that the foregoing is true and correct.
 Executed in Travis County, State of Texas, on the 10th day of

February, 20 17.

Steven C. Harris
 STEVEN CRAIG HARRIS Declarant
 2021

Texas Certification#: SCH-10808 Exp. 03/31/17

PCP Inv#: Z17200070
 SO Inv#: A17201615



tomcat

AX02A17201615

+ Service Fee: 35.00
 Witness Fee: .00
 Mileage Fee: .00

Perez, Roger

E-FILE RETURN

ORIGINAL**CITATION – Personal Service**

THE STATE OF TEXAS

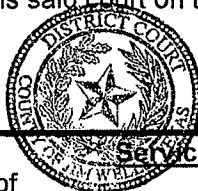
COUNTY OF JIM WELLS

CAUSE NO. 17-01-56848-CV

TO: PAVEL AILENI BY SERVING TRYON D. LEWIS, CHAIRPERSON OF THE TEXAS TRANSPORTATION COMMISSION, 125 E. 11TH ST., AUSTIN, TEXAS 78701-2483, WHO CAN FORWARD PROCESS TO DEFENDANT AT 7420 DOVER DR., YPSILANTI, MI 48197-2930

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-01-56848-CV
Date of Filing:	JANUARY 31, 2017
Document:	PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)
Parties in Suit:	DAVID MARQUEZ AND KIMBERLY KEENER VS PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD.
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	ROGER A. PEREZ, ATTORNEY, 427 S. SAINT MARY'S ST., SAN ANTONIO, TEXAS 78205

Issued under my hand and seal of this said court on this the 31 day of JANUARY, 20 17.R, David Guerrero, District Clerk
Jim Wells County, TexasBY: Juana P. Ramirez Deputy

JUANA P. RAMIREZ

Came to hand on the _____ day of _____, 20____, at _____ m., and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named _____

_____ in person a true copy of this citation, with attached copy(ies) of the _____ at _____

[] Not executed. The diligence use in finding DEFENDANT being _____

[] Information received as to the whereabouts of DEFENDANT being _____

Service Fee: \$	Sheriff/Constable
	County, Texas
Service ID No.	Deputy/Authorized Person

VERIFICATION

On this day personally appeared _____ known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the _____ day of _____, 20____.

Notary Public

** Service by Rule 106 TRC if directed by attached Court Order

POSTED

Filed 2/13/2017 10:34:22 AM

R. David Guerrero

District Clerk

Jim Wells County, Texas

Sandra Garcia, Deputy

79th District Court of JIM WELLS County, Texas

PO BOX 1375 ALICE TX 78333

CASE #: 17-01-56848-CV

DAVID MARQUEZ AND KIMBERLY KEENER

Plaintiff

vs

PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD

Defendant

AFFIDAVIT OF SERVICE

I, GRIFFIN JACKSON JR, make statement to the fact;
That I am a competent person more than 18 years of age or older and not a party to
this action, nor interested in outcome of the suit. That I received the documents stated
below on 02/08/17 4:18 pm, instructing for same to be delivered upon Autobahn Freight
Lines LTD. By Delivering To Its Registered Agent, Jeffrey Fultz.

That I delivered to : Autobahn Freight Lines LTD. By Delivering To Its Registered
Agent, Jeffrey Fultz.

the following : CITATION; PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)

at this address : 5625 Cypress Creek Pkwy
HOUSTON, Harris County, TX 77068

Manner of Delivery : By PERSONALLY delivering the document(s) to the person
above.

Delivered on : Friday February 10, 2017 2:45 pm

My name is GRIFFIN JACKSON JR, my date of birth is February 10th, 1952, and my
address is PCP Spring, 1000 FM 1960 Rd West #201B, Houston TX 77090, and U.S.A. I
declare under penalty of perjury that the foregoing is true and correct.

Executed in Montgomery County, State of Texas, on the 12 day of

Feb, 2017.



GRIFFIN JACKSON JR
2245

Declarant

Texas Certification#: SCH-3778 Exp. 05/31/17

PCP Inv#: 017200130

SO Inv#: A17201612



AX02A17201612

mcandrew

+ Service Fee: 70.00
Witness Fee: .00
Mileage Fee: .00

Perez, Roger

E-FILE RETURN

ORIGINAL**CITATION – Personal Service**

THE STATE OF TEXAS

COUNTY OF JIM WELLS

CAUSE NO. 17-01-56848-CV

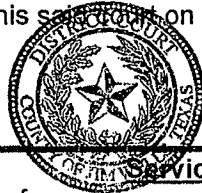
TO: AUTOBAHN FREIGHT LINES LTD., MAY BE SERVED THROUGH ITS PROCESS AGENT DESIGNATED UNDER THE MOTOR CARRIER ACT, JEFFREY FULTZ, 5625 CYPRESS CREEK PKWY, HOUSTON, TEXAS 77068

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-01-56848-CV
Date of Filing:	JANUARY 31, 2017
Document:	PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)
Parties in Suit:	DAVID MARQUEZ AND KIMBERLY KEENER VS PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD.
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	ROGER A. PEREZ, ATTORNEY, 427 S. SAINT MARY'S ST., SAN ANTONIO, TEXAS 78205

Issued under my hand and seal of this court on this the 31 day of JANUARY, 20 17.

R. David Guerrero, District Clerk
Jim Wells County, Texas



BY:

Juana P. Ramirez
JUANA P. RAMIREZ

Deputy

Came to hand on the _____ day of _____, 20____, at _____ m., and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named

_____, in person a true copy of this citation, with attached copy(ies) of the _____ at _____

☐ Not executed. The diligence use in finding DEFENDANT being _____

☐ Information received as to the whereabouts of DEFENDANT being _____

Service Fee: \$	Sheriff/Constable
	County, Texas
Service ID No.	Deputy/Authorized Person

VERIFICATION

On this day personally appeared _____ known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the _____ day of _____, 20____.

Notary Public

** Service by Rule 106 TRC if directed by attached Court Order

POSTED

Filed 2/20/2017 1:59:19 PM
 R. David Guerrero
 District Clerk
 Jim Wells County, Texas
 Sandra Garcia, Deputy

79th District Court of JIM WELLS County, Texas
 PO BOX 1375 ALICE TX 78333

CASE #: 17-01-56848-CV

DAVID MARQUEZ AND KIMBERLY KEENER

Plaintiff

vs

PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD

Defendant

AFFIDAVIT OF SERVICE

I, RICHARD E DOMINGUEZ, make statement to the fact;
 That I am a competent person more than 18 years of age or older and not a party to
 this action, nor interested in outcome of the suit. That I received the documents stated
 below on 02/10/17 10:37 am, instructing for same to be delivered upon A P Transport LLC By
 Delivering To Its Registered Agent, Maria Garcia.

That I delivered to : A P Transport LLC By Delivering To Its Registered Agent,
 Maria Garcia.

the following : CITATION; PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)

at this address : 1519 Wyoming
 EL PASO, El Paso County, TX 79902

Manner of Delivery : By PERSONALLY delivering the document(s) to the person
 above.

Delivered on : Monday FEB 13, 2017 10:43 am

My name is RICHARD E DOMINGUEZ, my date of birth is NOV 7th, 1970, and my address is
 Professional Civil Process El Paso, Professional Civil Process, Inc., 2200 N.
 Yarbrough Suite B-186, El Paso TX 79925, and U.S.A. I declare under penalty of
 perjury that the foregoing is true and correct.

Executed in El Paso County, State of Texas, on the 13 day of

February, 2017.

RICHARD E DOMINGUEZ
 169

Declarant

Texas Certification#: SCH-2877 Exp. 08/31/19

PCP Inv#: E17200042
 SO Inv#: A17201611



tomcat

AX02A17201611

+ Service Fee: .00
 Witness Fee: .00
 Mileage Fee: .00

Perez, Roger

E-FILE RETURN

ORIGINAL**CITATION – Personal Service**

THE STATE OF TEXAS

COUNTY OF JIM WELLS

CAUSE NO. 17-01-56848-CV

TO: A P TRANSPORT LLC MAY BE SERVED THROUGH ITS PROCESS AGENT DESIGNATED UNDER THE MOTOR CARRIER ACT,
MARIA GARCIA, 1519 WYOMING, EL PASO, TEXAS 79902

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-01-56848-CV
Date of Filing:	JANUARY 31, 2017
Document:	PLAINTIFFS' ORIGINAL PETITION (WITH DISCOVERY)
Parties in Suit:	DAVID MARQUEZ AND KIMBERLY KEENER VS PAVEL AILENI, A P TRANSPORTATION, A P TRANSPORT LLC AND AUTOBAHN FREIGHT LINES LTD.
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	ROGER A. PEREZ, ATTORNEY, 427 S. SAINT MARY'S ST., SAN ANTONIO, TEXAS 78205

Issued under my hand and seal of this said Court on this the 31 day of JANUARY, 20 17.R. David Guerrero, District Clerk
Jim Wells County, TexasBY: Juana P. Ramirez

Deputy

JUANA P. RAMIREZ

Came to hand on the _____ day of _____, 20____, at _____ m., and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named _____

_____ in person a true copy of this citation, with attached copy(ies) of the _____ at _____

[] Not executed. The diligence use in finding DEFENDANT being _____

[] Information received as to the whereabouts of DEFENDANT being _____

Service Fee: \$	Sheriff/Constable
	County, Texas
Service ID No.	Deputy/Authorized Person

VERIFICATION

On this day personally appeared _____ known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the _____ day of _____, 20____.

Notary Public

** Service by Rule 106 TRC If directed by attached Court Order

POSTED

EXHIBIT B



Department of Licensing and Regulatory Affairs

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[Business Entity Search Home](#)

[Corps Home](#)

[Contact Corporations](#)

[LARA Home](#)

CORPORATE ENTITY DETAILS

Searched for: AUTOBAHN FREIGHT LINES, LTD.

ID Num: 01486M

Entity Name: AUTOBAHN FREIGHT LINES, LTD.

Type of Entity: Domestic Profit Corporation

Resident Agent: ROZA COLLAKU

Registered Office Address: 1750 SOUTHFIELD RD, STE 220 LINCOLN PARK MI 48146

Mailing Address: MI

Formed Under Act Number(s): 284-1972

Incorporation/Qualification Date: 3-6-2008

Jurisdiction of Origin: MICHIGAN

Number of Shares: 1,500

Year of Most Recent Annual Report: 16

Year of Most Recent Annual Report With Officers & Directors: 16

Status: ACTIVE **Date:** Present

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EXHIBIT C



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Web Site

Department of Licensing and Regulatory Affairs

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LIMITED LIABILITY COMPANY DETAILS

Searched for: A P TRANSPORT LLC

ID Num: D6920T

[Assumed Names](#)

Name: A P TRANSPORT LLC

Type: Domestic Limited Liability Company

Resident Agent: LINDA R GROVE

Registered Office Address: 24331 LAETHAM EAST POINTE MI 48021

Mailing/Office Address: 24331 LAETHAM AVE. EASTPOINTE MI 48021

Formation/Qualification Date: 1-4-2012

Jurisdiction of Origin: MICHIGAN

Managed by: Members

Status: ACTIVE **Date:** Present

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EXHIBIT D



Department of Licensing and Regulatory Affairs

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[LARA Home](#)

CORPORATE ENTITY DETAILS

Searched for: A. P. TRANSPORTATION, INC.

ID Num: 04630T

Entity Name: A. P. TRANSPORTATION, INC.

Type of Entity: Domestic Profit Corporation

Resident Agent: PAVEL AILENI

Registered Office Address: 803 ESTRADA DR BELLEVILLE MI 48111

Mailing Address: MI

Formed Under Act Number(s): 284-1972

Incorporation/Qualification Date: 3-26-2012

Jurisdiction of Origin: MICHIGAN

Number of Shares: 1,000

Year of Most Recent Annual Report: 13

Year of Most Recent Annual Report With Officers & Directors: 13

Status: AUTOMATIC DISSOLUTION **Date:** 7-15-2016

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[New Search](#)

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[State Web Sites](#) | [Accessibility Policy](#) | [Link Policy](#) | [Security Policy](#)

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